

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ESTATE OF ANTHONY J. ANTONIOUS, *a*
New Jersey Estate, IRREVOCABLE TRUST
OF ANTHONY J. ANTONIOUS,

Plaintiff,

v.

Civil Action No. 08-3253 (KSH)

ADAMS GOLF, INC., *a Delaware*
Corporation, THE SPORTS AUTHORITY,
INC., *a Delaware Corporation*, DICK'S
SPORTING GOODS, INC., *a Delaware*
Corporation, GOLF GALAXY, INC., *a*
Minnesota Corporation,

Defendants.

ORDER

KATHARINE S. HAYDEN, U.S.D.J.

This matter having come before the Court by way of Magistrate Judge Patty Shwartz's Report and Recommendations that the Court approve the allocation of the \$35,000 settlement as set forth therein [D.E. 193]; and the parties having had 14 days to object to the Report and Recommendation pursuant to L. Civ. R. 72.1(c)(2); and neither party having filed an objection; good cause appearing,

IT IS ON this 26th day of May, 2011,

ORDERED that the Report and Recommendations [D.E. 193] are **accepted**, and it is further

ORDERED that the \$35,000 settlement is allocated as set forth in the Report and Recommendations as follows: (1) \$10,000 to the plaintiffs; (2) \$10,000 to Gillig Golf, Inc.; and

(3) \$15,000 to Mr. Silverman, which shall be used to pay the following costs: (a) consulting experts, other than Gillig Golf or Mr. Gillig, in the amount of \$1000; (b) travel expenses for depositions in Texas and Alabama, in an amount not to exceed \$1400, (c) court reporter and transcripts, in an amount not to exceed \$2300; and (d) payment to Douglas Winfield for work as plaintiff's technical expert. Mr Silverman is responsible for payments due to the Ohio law firm and no maintenance fees shall be paid from any settlement proceeds in this case. Any compensation to Sepehr Daghighian shall come from Mr. Silverman and not the plaintiffs. No other compensation or reimbursement may be sought from the plaintiffs for work performed in this case. Nothing herein constitutes a ruling or a finding that the December 2010 fee arrangement complies with the Rules of Professional Conduct as the allocation has been recommended for approval without applying its terms.

/s/ Katharine S. Hayden
Katharine S. Hayden, U.S.D.J.